

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) No. 4:06-CR-6
v.)
) Chief Judge Curtis L. Collier
ALBERT BENNETT)

O R D E R

On July 27, 2006, Albert Bennett (“Defendant”) filed a motion requesting a mental competency evaluation pursuant to 18 U.S.C. §§ 4241, 4242, and 4247 (Court File No. 179). On August 16, 2006, United States Magistrate Judge Susan K. Lee granted this motion and ordered Defendant to be committed to a psychiatric facility or hospital for an evaluation, to determine (1) whether Defendant was insane at the time of the charged offense and (2) whether Defendant is currently suffering from a mental disease or defect rendering him incompetent to stand trial. (Court File No. 196.) On January 10, 2007, United States Magistrate Judge William B. Mitchell Carter received Defendant’s Forensic Evaluation (Court File No. 251), which was filed under seal at Defendant’s request. (Court File Nos. 252, 255.)

On January 23, 2007, Defendant filed a Waiver of Competency Hearing (the “Waiver”) (Court File No. 254). After reviewing the Forensic Evaluation¹ and considering the Waiver, Judge Carter submitted a Report and Recommendation (“R&R”) recommending that Defendant be found competent to stand trial. (Court File No. 257). Defendant filed no objections to the R&R.

Accordingly, this Court **ACCEPTS** and **ADOPTS** Judge Carter’s R&R (Court File No. 257)

¹ “The findings in the Forensic Evaluation were that Defendant was not suffering from a mental disease or defect rendering him unable to appreciate the nature and quality or the wrongfulness of his acts at the time of the alleged offense.” (Court File No. 257.)

and hereby **ORDERS** Defendant be found competent to stand trial.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE